

Order

Michigan Supreme Court
Lansing, Michigan

September 23, 2009

Marilyn Kelly,
Chief Justice

136622

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 136622
COA: 274508
Wayne CC: 06-006502-01

REGINALD LENOIR LEWIS,
Defendant-Appellant.

By order of April 22, 2009, the application for leave to appeal the April 15, 2008 judgment of the Court of Appeals was held in abeyance pending the decision in *Melendez-Diaz v Massachusetts*, cert gtd __ US __; 129 S Ct 2527; 174 L Ed 2d 314 (2008). On order of the Court, the case having been decided on June 25, 2009, __ US __; 129 S Ct 2527; 174 L Ed 2d 314 (2009), the application is again considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we VACATE in part the judgment of the Court of Appeals and we REMAND this case to the Court of Appeals for reconsideration of the defendant's Confrontation Clause, sufficiency of the evidence, and ineffective assistance issues in light of *Melendez-Diaz*. In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.

We do not retain jurisdiction.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 23, 2009

Corbin R. Davis

Clerk